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Brad R. Wenstrup, D.P.M.
Chairman
House of Representatives
Select Subcommittee on the Coronavirus Pandemic
2157 Rayburn House Building
Washington, D.C. 20515-6143

Dear Chairman Wenstrup and Members of the Subcommittee:

I write on behalf of the University of Maryland at College Park (“UMD”), who I represent. The University of Maryland would like to thank the U.S. House of Representatives Select Subcommittee on the Coronavirus Pandemic for the opportunity to respond to its letter of October 13, 2023 related to UMD’s COVID-19 policies.

From the very beginning of the pandemic, UMD has worked diligently to safeguard the health and well-being of its campus community. UMD’s decisions have been informed by the latest federal, state, and local guidance and requirements as well as the advice of its own staff. It is important to note that the UMD campus is in an urban, densely populated setting, so policies that might work in a more rural setting might not be the right fit for the UMD campus. In addition, UMD is closely connected to the surrounding community in Prince George’s County, Maryland. As a result, in creating its own policies, UMD has paid significant attention to the guidance of the Prince George’s County Health Department (“PGCHD”). Prince George’s County has had some of the largest numbers of COVID-19 cases and deaths in the state throughout the pandemic. It also has a large number of people who suffer from diseases and medical conditions that make them particularly vulnerable to COVID-19. As a result, guidance from the PGCHD has called for a cautious and active response to the pandemic. UMD’s own policies have reflected the guidance of its local public health authorities.

In your October 13, 2023 letter, you point out that we now know that, generally speaking, children and young adults are less susceptible to suffer severe illness as a result of COVID-19. Were the UMD campus community composed only of healthy young adults, UMD policies might be different than they are, but the UMD campus community includes students, professors, and staff of different ages and risk profiles including immunocompromised members. Also, as mentioned above, UMD is in the middle of a community that was hit hard by COVID-19 and where the virus continues to be a concern. UMD’s COVID-19 policies take all of the members of UMD’s university community into account.

As conditions have changed with respect to the COVID-19 pandemic, so too have UMD’s COVID-19 policies. For a time, in-person classes were suspended and much of UMD’s campus life ground to a halt. Now, by and large, UMD’s campus life has returned to normal.

Nevertheless, because COVID-19 continues to pose a risk to some members of the university community, UMD continues to take reasonable precautions and to follow the guidance of the PGCHD. For example, UMD encourages members of its community to keep their COVID-19 vaccinations up to date, just as it also encourages the UMD community to get their flu shots every year.

In addition, UMD has observed that when the campus densifies at the start of the fall semester, with 50,000 students, faculty and staff returning at once, there is a spike in the number of COVID-19 cases during the first few weeks of each semester. To prevent a spike in cases this year, UMD worked with PGCHD to create a protocol on how to handle students who test positive for COVID-19. That protocol directed students who tested positive for COVID-19 to isolate off-campus. For students with permanent residences within 300 miles of campus (approximately 89% of UMD residential students), we asked them to isolate at home where possible. For others, UMD asked them to isolate in a hotel or similar accommodation with financial support from UMD, as needed. In all cases, UMD invited students to contact the Dean of Students if they needed any assistance complying with UMD's COVID-19 protocols. UMD staff offered assistance readily whenever it was requested.

UMD is pleased to report that the number of new COVID-19 cases this fall is about half what they have been in the last few fall semesters. With this drop in new cases, UMD has continued its ongoing conversation with PGCHD to determine the best COVID-19 protocols based on the data around UMD COVID-19 infections.

On October 26, the PGCHD revised their isolation guidance to read:

If a residential student who tests positive cannot travel home, they must isolate in place, in their residence hall and inform immediately the University Health Center and their roommate. All students must stay in their rooms except to use bathrooms, collect meals and other essential activities of daily living. Students will not go to class during the isolation period....Students with compromised immune systems, in consultation with their primary provider and University Health Center, may require alternative arrangements. Students are encouraged to be proactive in developing a plan prior to any exposure or positive test.

Accordingly, UMD will revise its protocols to permit students who test positive for COVID-19 to isolate in-place within their residence halls, effective November 1, 2023. Many students with COVID-19 may still choose to isolate away from campus; they will be advised to consult with their families and their physicians to make the best possible decision for themselves.

UMD will continue to provide all possible support to students isolating because of a positive COVID-19 test. Every student who is required to isolate receives resources and support, and students who are experiencing hardship are provided assistance to allow them to isolate, recuperate, and continue their academic pursuits.

We are fortunate that UMD's efforts have helped minimize the spread of COVID-19 on campus – this year's case numbers are approximately half of what they were at this same time of year in 2022. This significant drop in cases has helped minimize the impact of COVID-19 on

UMD's campus community, allowing students, faculty and staff to continue to take advantage of the in-person teaching and learning opportunities here on campus.

1. How did the University of Maryland spend its federal COVID-19 aid?

On March 27, 2020 President Trump signed into law the Coronavirus Aid, Relief, and Economic Security Act or CARES Act of 2020. The CARES Act passed the Senate by 96-0 and the House by voice vote. Among other things, that act created the Higher Education Emergency Relief Fund and directed institutions of higher education to provide emergency financial aid grants to students for expenses related to the disruption of campus operations. During the course of the pandemic, Congress passed other laws designed to address the crisis of a worldwide pandemic. In total, UMD received \$112.8 million in federal COVID-19 relief funds. Of these funds, \$50.8 million was awarded to students under the CARES Act as Emergency Financial Aid Grants. In addition, UMD also received \$62 million for lost revenue and COVID-19-related expenditures.

Student Portion of COVID-19 Relief Funds

The Emergency Student Financial Aid Grant was offered to UMD students using two methods:

- A portion was provided based on financial need to eligible students using information from the Free Application for Federal Student Aid (FAFSA).
- Another portion was provided to eligible students using the Emergency Student Financial Aid Grant Application. The application was established to allow students to apply for the COVID-19 relief grants. A student must have met all the criteria listed below to qualify for funding through the Emergency Student Financial Aid Grant Application:
 - Undergraduate or graduate students who were enrolled on or after March 13, 2020.
 - The student must have been adversely impacted by the COVID-19 pandemic and have had an emergency need.
 - A student must have used the funds to cover allowable educational expenses.

Overall, the University made awards to 16,718 students of which \$25.9 million was provided to 9,953 students identified as having the highest financial need. Their average award was \$2,597. In addition, \$24.9 million was provided to 11,155 students using the Emergency Student Financial Aid Grant Application process with an average award of \$2,232. (Some students received more than one award).

Institutional Portion of COVID-19 Relief Funds

Commencing in March 2020, undergraduate and graduate course instruction was conducted virtually, and nearly all students vacated campus. Refunds were provided for the Spring 2020 mandatory fees, dining plan, and housing charges. In the Fall of 2020 students returned to campus in de-densified housing, the University provided spaces for quarantine and isolation, and dining was mostly carry-out. In addition, intercollegiate athletics followed the NCAA and Big Ten conference requirements with increased testing protocols. By Fall of 2021, the University worked towards full campus operations as COVID-19 vaccinations were widely available.

The impact from the disruption was significant. The lost revenue in Fiscal Year (FY) 2020 and 2021 was more than \$241 million and the additional costs incurred to manage the effects of the pandemic exceeded \$30 million. In addition, the State of Maryland reduced the University's operating budget by 7.5%, or approximately \$45 million in FY 2021. The State of Maryland did not restore that funding until FY 2023.

The \$62 million in federal Institutional Aid received by the University was utilized to offset the impacts noted above and included:

- \$11.0 million provide additional funding to make up for part of the reduced State of Maryland appropriations which usually support UMD
- \$33.3 million lost revenue associated with \$41 million in refunds to students for mandatory fees, dining, and housing plans in March of 2020
- \$3.2 million to develop virtual and hybrid course delivery methods
- \$14.6 million in costs associated with COVID-19 mitigation efforts
 - \$9.1 million for COVID-19 testing with University of Maryland Pathology Associates
 - \$1 million on test kits
 - \$800,000 on external nursing staff
 - \$250,000 specialized cleaning and linen service for quarantine and isolation housing
 - \$350,000 on dining takeout supplies
 - \$400,000 on gloves, masks, hand sanitizer
 - \$1.3 million on items such as medical software, test site operations.
 - \$1.3 million towards applicable payroll (i.e., for those that could not work due to the campus shutdown, or those employees repurposed for COVID-19 mitigation efforts).

2. How does the University of Maryland plan to administer and enforce the Directive?

As of November 1, our protocols will change based on a dramatic reduction in the number of new COVID-19 cases in Fall 2023 as compared to previous semesters as well as updated guidance from the PGCHD. Students are no longer required to isolate off-campus, though some may choose to do so, especially if their permanent residence is in close proximity to UMD's campus.

As always, if students or any member of the UMD community has any concerns with UMD's COVID-19 protocols, UMD strongly encourages them to talk to staff who are ready and willing to assist. UMD encourages open communication and invites students to reach out to the Dean of Students Office for any necessary support or guidance during their isolation period, for example. The Dean of Students Office is a valuable resource for addressing questions, concerns, or specific needs that may arise.

UMD's overarching goal is to strike a balance between ensuring compliance with health and safety protocols and respecting the autonomy of UMD's students to make informed choices about their isolation arrangements. UMD believes that this approach fosters a sense of responsibility and partnership within the UMD student community.

3. How will the University of Maryland determine if a student goes to their permanent home or to a nearby hotel for quarantine?

As mentioned above, UMD has changed its COVID-19 protocols based on updated guidance received from the PGCHD. As a result, it is no longer necessary for students to isolate off-campus. While some students may choose to do so based on their own judgment and advice from their doctors or other medical professionals, UMD is not involved in the decision of where students choose to isolate. UMD's approach under the previous COVID-19 protocol and moving forward has been to empower students and their families or trusted advisors to make decisions that best suit their unique circumstances and preferences. UMD aims to provide information and support so that individuals can choose the most suitable course of action for their isolation period, while still adhering to public health guidance.

4. How will the University of Maryland's Directive affect student performance, progression, and academic achievement?

Because UMD has changed its COVID-19 protocols based on updated guidance from PGCHD as well as data showing that the rate of COVID-19 infection is lower this year than in previous years, the off-campus isolation protocol no longer applies. Therefore there should be no ongoing concerns about student performance, progression, and academic achievement that are specific to the requirement to isolate off-campus. But as those who test positive for COVID-19 are still required to isolate for five days, UMD is working hard to ensure that anyone who tests positive will continue to have the support of the full university community to help them to get well and to stay fully engaged with their classes and other parts of the university experience. For example, wherever possible we make virtual learning available to those students who need to isolate because of illness. Students who test positive for COVID-19 are provided with

documentation they can submit to their instructor in order to be excused from classes during their isolation period. Professors are encouraged to accommodate those students wherever possible with respect to coursework or instruction that needs to be made up and that cannot take place virtually.

In a campus community of approximately 50,000 students, faculty and staff, illnesses inevitably occur, and we put plans in place so that UMD students can thrive academically even when illness occurs. UMD's protocols are intended to protect everyone, including individuals who are immunocompromised and whose exposure to the virus may place their health and lives at greater risk. This allows fellow students, and also faculty and staff, to study and work in a safe campus environment.

Throughout the pandemic, UMD has been dedicated to supporting UMD students, and we have witnessed their resilience and determination in utilizing the resources we offer to maintain their academic progress.

UMD believes that its students' academic achievements are a testament to their ability to adapt and make the best of difficult situations. UMD's approach has always been to work closely with students, providing the necessary support and flexibility to help them stay on track. This includes open communication with faculty, guidance to faculty from the UMD Provost, and tailored solutions that recognize the unique demands of each course.

As a result, UMD students have demonstrated their capacity to excel academically even in the face of illnesses like COVID-19. UMD remains committed to empowering its students to achieve their academic goals, and UMD will continue to provide the support needed to guide their success.

5. What policies and procedures are in place to assist students with their academics while they are in quarantine?

UMD recognizes that illnesses, including but not limited to COVID-19, can present academic challenges for students. UMD has a comprehensive approach to support students during these difficult times:

Communication: UMD encourages students to proactively reach out to their faculty members to inform them of necessary absences due to illness. Open communication is key to addressing academic concerns. As noted in the answer to question number four above, students who test positive for COVID-19 are provided with documentation they can submit to their instructor in order to be excused from classes during the isolation period.

Support and Flexibility: The UMD Provost provides guidance to faculty members, advising them to offer support and flexibility to all students facing illness-related absences. This support may include extended deadlines, alternative assignments, or accommodations to ensure that students can catch up on missed coursework.

Individualized Approach: Recognizing the diversity of courses and the unique nature of each student's academic journey, UMD takes an individualized approach to help students make

up classwork. UMD understands that a chemistry lab and an orchestra recital require different solutions, and UMD tailors its support accordingly.

Guidance Toward Success: UMD's aim is to guide each student toward academic success. UMD works closely with them to understand their specific needs and challenges, providing resources and guidance to help them overcome obstacles and continue progressing in their studies.

6. How will the University of Maryland's Directive affect students' mental health?

As noted above, UMD's COVID-19 protocols will be changing next week based on new guidance from PGCHD, so concerns about off-campus isolation will no longer apply. But generally speaking, UMD holds the well-being of UMD students, both in terms of their physical and mental health, as a top priority. One factor in UMD's previous COVID-19 protocol was UMD's belief that recuperating with family members or loved ones is the optimal choice for a student's overall health and well-being.

Approximately 89% of UMD's residence hall students reside within a five-hour drive of campus. Given this proximity, during the period in which UMD's previous COVID-19 protocol applied, UMD encouraged families to consider having their students isolate at home, if circumstances allow, after a positive COVID-19 test. This choice not only provided physical comfort and support, but also fostered a nurturing environment for mental well-being.

It also helped reduce the spread of illness to roommates, floormates and other students who live in close proximity. UMD's protocol of requiring off-campus isolation was an effort to mitigate the spread amongst the UMD campus. In so doing, UMD focused on maintaining "student performance, progression and academic achievement" for tens of thousands of students.

For students whose permanent addresses are further away or who may not have family or friends in the immediate area, we recommended staying in a local hotel while maintaining contact and support from family via phone calls, Zoom, and other means of communication. Additionally, UMD's campus offices stood ready to provide assistance and support as needed. In fact, whenever a student whose permanent address was more than 300 miles from campus reported a positive COVID-19 test, UMD had a staff member reach out to them to offer UMD's support and assistance. UMD also made financial assistance available to any students for whom UMD's previous COVID-19 protocol was a financial hardship. Federal funds were not used to support students who needed financial assistance.

7. What policies and procedures are in place to assist students with their mental health while they are in quarantine?

UMD is always primarily concerned with the health and safety of its students and the broader community. However, UMD recognizes that the measures put in place to address the COVID-19 pandemic can have an impact on students' mental health.

Isolation, while necessary to limit the spread of the virus, can be a challenging and isolating experience for students. Being away from their usual support networks, such as friends and classmates, can contribute to feelings of loneliness and stress.

To address these concerns and support students' mental health, UMD recommends students take advantage of the following resources:

Mental Health Resources: UMD provides access to mental health resources, including counseling and psychological services. Students can reach out to the University of Maryland Counseling Center for support during their isolation period. The University Counseling Center offers hybrid services to the student community, including HIPAA compliant Zoom counseling sessions.

Wellness Check-Ins: UMD encourages students to maintain daily contact with loved ones for emotional support and well-being checks, which can help alleviate feelings of isolation.

Academic Flexibility: UMD understands that academic stress can contribute to mental health challenges. UMD's faculty members are asked to provide support and flexibility to students facing illness-related absences, which can reduce academic stress.

UMD's commitment is to balance the imperative of public health with the well-being of its students. UMD will continue to monitor the situation closely and adapt its approach as needed to provide comprehensive support for students' mental health during these challenging times.

8. Does the University of Maryland have an accommodation plan for those who are medically vulnerable?

The University of Maryland is committed to providing accommodations and support to individuals who are medically vulnerable, particularly those with weakened or compromised immune systems. We recognize that these individuals are at a higher risk of severe illness from COVID-19 and we are dedicated to ensuring their safety and well-being.

UMD's approach is guided by the following principles and the guidance provided on the UMD website:

Consultation with Healthcare Providers: UMD strongly recommends that individuals with weakened or compromised immune systems consult with their personal physicians and follow CDC guidance on receiving booster doses when eligible. Each individual's healthcare provider can provide personalized recommendations for their specific situation.

In addition, students may call the University Health Center's 24-hour nurse line at any time, or the HEAL line (a COVID-19 hotline UMD set up for students or employees), if they need medical advice from a UMD healthcare provider.

Precautions: Individuals in this category are advised to take precautionary measures as recommended by their healthcare provider.

Adjustments and Accommodations: The University of Maryland may offer appropriate adjustments and accommodations based on a letter from the individual's healthcare provider. These accommodations are tailored to the unique needs and circumstances of each individual. UMD is committed to working closely with affected individuals to ensure their safety and inclusion in the campus community.

UMD's goal is to provide a safe and supportive environment for all members of the UMD community, including those who are medically vulnerable. UMD encourages individuals in this category to proactively communicate with their healthcare providers and reach out to the university to discuss and arrange for necessary accommodations.

9. How does the University of Maryland plan to enforce the Directive if a student doesn't have a permanent home and cannot afford alternative lodging at a nearby hotel?

Because UMD has changed its COVID-19 protocols based on updated guidance from PGCHD as well as data showing that the rate of COVID-19 infection is lower this year than in previous years, the off-campus isolation protocol no longer applies so there is no need to address this issue with students at present. Generally speaking, the University of Maryland is committed to making it possible for all students to comply with public health guidance. When UMD communicated with students about its COVID-19 protocol that required off-campus quarantine, UMD made it clear that assistance was available for anyone who had concerns. UMD's staff stood by to help students even in challenging situations where a student may not have had a permanent home or faced financial constraints in securing alternative lodging. UMD's approach is centered on support and collaboration.

UMD encouraged any student who anticipated difficulty with isolating off-campus to reach out to UMD's Dean of Students. UMD's Dean of Students Office is dedicated to working closely with students to understand their unique circumstances and provide guidance and resources. In cases where a student did not have a permanent home or faced financial challenges, UMD committed itself to collaborating with them to identify solutions that ensure their safety and well-being. This included exploring alternative housing options and accessing available financial assistance for hotel accommodations. As mentioned above, funding for financial assistance did not come from federal funds.

UMD's aim is always to take an individualized approach to support students in finding suitable solutions. UMD understands that each student's situation is unique, and UMD is dedicated to addressing their needs accordingly.

10. Does the University of Maryland intend to financially support students that require lodging at a nearby hotel?

Because UMD has changed its COVID-19 protocols based on updated guidance from PGCHD as well as data showing that the rate of COVID-19 infection is lower this year than in previous years, the off-campus isolation protocol no longer applies. But UMD remains committed to supporting students who are required to isolate and may face challenges in doing

so. UMD encourages any student who is experiencing difficulty in complying with the requirement to isolate to reach out to the Dean of Students Office.

11. Is the University of Maryland requiring its student-athletes to abide by these same procedures?

Yes, these procedures and expectations apply to all University of Maryland students, including student-athletes.

12. Are student-athletes still permitted to attend practice or participate in games if they are in quarantine or if they have received a positive test?

No, student-athletes are subject to the same isolation requirements as other students. They are not permitted to attend practice or participate in games if they have received a positive COVID-19 test result. UMD's approach ensures consistency in applying health and safety protocols to all members of the university community, including student-athletes.

Coaches receive guidance regarding a student-athlete's return to physical activity, which adheres to NCAA and NSCA guidelines for safe transitions and return to training following the isolation period. This guidance includes the following:

- Student-athletes can begin light physical activity on day 6 following a negative rapid antigen test.
- With two sequential negative tests 48 hours apart, student-athletes may remove their masks sooner than day 10 and return to a graduated progression of team activities.

This approach prioritizes the health and safety of student-athletes and their ability to safely return to physical activity in accordance with established guidelines.

Thank you for the opportunity to respond to the questions raised in this letter. Should you have any additional questions, please do not hesitate to reach to me at acummings@crowell.com.

Sincerely,



Aaron C. Cummings